

REMARKS

In the Office Action mailed October 13, 2006, the Examiner noted that claims 1-31 were pending, objected to claims 15 and 19 and rejected claims 1-31. Claims 1, 15, 19-22, 27, and 29-31 have been amended, new claim 32 has been added and, thus, in view of the forgoing claims 1-32 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections and objections are traversed below.

In the Office Action the Examiner objected to claims 15 and 19 for grammatical errors and rejected claim 27 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the objections and rejection are requested.

On page 3 of the Office Action, the Examiner rejected claims 1, 13, 17 and 18 under 35 U.S.C. § 102 as anticipated by Strauss. On page 5 of the Office Action, the Examiner rejected claims 22 and 30 under 35 U.S.C. § 102 as anticipated by Dow. Pages 6, 9, 12, 13, 14, 15 of the Office Action reject claims 2-12, 14-16, 19, 21, 23-29 and 31 under 35 U.S.C. § 103 over various combinations of Dow and Strauss variously with Selker, Warnock, Nicholas, Mullet and Hoeber.

As discussed with the Examiner in the Interview of February 22, 2007, claim 1 now emphasizes a tracking menu with a tracking menu boundary that is coincident with an outer edge of the menu ("coincident with the outer edge" - claim 1).

In contrast, the Straus has a follow me zone 42 that is not coincident with the outer edge of menu 40 as shown in figure 7 and discussed in col. 6, lines 59-67.

With respect to Dow and the pan and zoom functions, the Examiner focuses on figure 8E of Dow. The Examiner appears to be interpreting the "buttons" surrounding the magnifying glass (zoom icon) in Dow figure 8 as pan controls in a ring shape. While Dow mentions panning, the only teaching is to move the icon or zoom/scroll using the buttons. For this reason it is submitted that both panning and zooming with a tracking menu is not taught or suggested by Dow.

In addition, Dow does not discuss at all a tracking menu with a tracking menu boundary that is coincident with an outer edge of the menu.

The remaining references Selker, Warnock, Nicholas, Mullet and Hoeber add nothing to Strauss and/or Dow with respect to the features discussed above.

The invention of claim 19 recites "a tracking menu boundary surrounding the ring control and coincident with the ring control first region outer edge", the invention of claim 20 recites "moving the control when the exterior edge of the peripheral region is encountered", the invention of claim 21 recites "causing the menu tool to move when the exterior edge is encountered", the invention of claim 22 recites "causing the menu to move when the exterior edge is encountered", the invention of claim 29 recites "moving the menu when an outer edge of the menu is encountered", the invention of claim 30 recites "interpreting transducer motion as a menu move event when an outer edge of the menu is encountered" and the invention of claim 31 recites "moving the graphic on the display as a tracking menu responsive to movement of a pen when an outer edge of the surrounding ring graphic is encountered". The prior art does not teach or suggest such.

It is submitted that the independent claims distinguish over the prior art and withdrawal of the rejections is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 2 emphasizes that the second region control surrounds the first region control. While Dow discusses buttons associated with the zoom control for moving the zoom control, there is no control region surrounding the zoom control taught or suggested in Dow. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 31 emphasizes the combined zoom/pan tracking menu where the menu moves when an area outside the menu is about to be reached. Nothing in the prior art teaches or suggests such. It is submitted that this new claim, which is different and not narrower than prior filed claims, distinguishes over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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